

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 4:18 CR 139 RWS
)	
WILLIAM DOUGLAS HANING,)	
)	
Defendant.)	

MEMORANDUM AND ORDER

This matter is before the Court on defendant's motions for orders expunging and releasing lis pendens. [32 and 33]. The Court re-referred this matter to United States Magistrate Judge Nannette A. Baker for a report and recommendation on all dispositive matters pursuant to 28 U.S.C. § 636(b) because the property at issue was foreclosed upon and is now owned by the mortgagee bank. For this reason, the plaintiff argued the motions were moot. After supplemental briefing and a hearing on the issue of mootness, on October 26, 2018, Judge Baker filed her Report and Recommendation that defendant's motions for orders expunging and releasing lis pendens be denied as moot. [69].

Defendant filed objections to the Report and Recommendation [70], and this Court has conducted a de novo review of all matters relative to defendant's motions

and objections. After careful consideration, I will adopt and sustain Judge Baker's thorough Report and Recommendation in its entirety and deny the motions as moot.

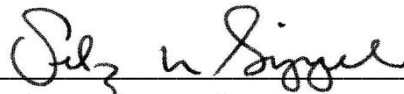
I agree with Judge Baker's analysis that defendant has not met his burden of showing that there is an actual case or controversy before the Court in the absence of defendant's ownership interest in the property.

Accordingly,

IT IS HEREBY ORDERED that the Report and Recommendation filed on October 26, 2018 [69] is adopted and sustained in its entirety.

IT IS FURTHER ORDERED that defendant's objections to the Report and Recommendation [70] are overruled.

IT IS FURTHER ORDERED that defendant's Motion for Court Order Releasing Lis Pendens [32] and Motion to Expunge Lis Pendens [33] are denied as moot.



RODNEY W. SIPPEL
UNITED STATES DISTRICT JUDGE

Dated this 13th day of November, 2018.